No. 61

MICHIGAN SENATE

DAILY CALENDAR

TUESDAY, SEPTEMBER 15, 1998 10:00 a.m.

MOTIONS

- 1 -

HB 5723 Rep. Gagliardi

Insurance; no-fault; catastrophic claims association return of surplus; provide for insurers to return to Michigan policyholders.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111f.

Motion to discharge Committee on Financial Services, Wednesday, June 10.

MESSAGES FROM THE HOUSE

SB 752 Sen. Young

Courts; municipal court; appeals from municipal courts;

Amends sec. 23 of 1956 PA 5 (MCL 730.523) & adds sec. 23a.

I.E. House, March 26, 1998.

Returned from House with amendments, Tuesday, April 14; laid over under the rules.

For House amendments, see Senate Journal No. 29, page 537.

Committee recommended I.E.

SB 386 Sen. DeBeaussaert

Civil rights; handicapper discrimination; references to handicappers; change to persons with disabilities in state school aid act of 1979.

Amends secs. 51a & 105 of 1979 PA 94 (MCL 388.1651a & 388.1705).

I.E. House, February 25, 1998.

I.E. Senate, April 14, 1998.

Enrollment vacated, Wednesday, April 29; motion to reconsider vote pending.

866 Sen. Van Regenmorter SB

Civil procedure; personal protection orders; personal protection orders in domestic violence and stalking cases; allow family division of circuit court to issue.

Amends sec. 2950a of 1961 PA 236 (MCL 600.2950a).

Senate substitute (S-1).

Returned from House with amendments, Thursday, May 14; laid over under the rules.

For House amendments, see Senate Journal No. 43, page 862.

Committee recommended I.E.

MESSAGES FROM THE HOUSE

_ 5 <u>____</u>

SB 874 Sen. A. Smith

Civil procedure; personal protection orders; personal protection orders in domestic violence and stalking cases; allow family division of probate court to issue.

Amends sec. 2950 of 1961 PA 236 (MCL 600.2950).

Senate substitute (S-1).

For Senate amendments, see Senate Journal No. 23, page 390.

Returned from House with amendments, Thursday, May 14; laid over under the rules.

For House amendments, see Senate Journal No. 43, page 862.

Committee recommended I.E.

HB 4259 Rep. Alley

Natural resources; gas and oil; disclosure of postproduction costs for oil and gas leases for private landowner; require.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 61503a.

I.E. House, December 10, 1997.

I.E. Senate, April 28, 1998.

Senate substitute (S-2).

Returned from House with amendment to Senate substitute (S-2), Wednesday, May 20; laid over under the rules.

For House amendment, see Senate Journal No. 45, page 914.

HB **5261** Rep. DeVuyst

Natural resources; gas and oil; charges for postproduction costs; regulate.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 61503b.

I.E. House, December 10, 1997.

I.E. Senate, April 28, 1998.

Senate substitute (S-2).

Returned from House with amendments to Senate substitute (S-2), Wednesday, May 20; laid over under the rules.

For House amendments, see Senate Journal No. 45, page 915.

HB **5317** Rep. Lowe

Natural resources; mining; forced pooling of mineral rights; require person requesting pool to control at least 51% of mineral rights.

Amends sec. 61513 of 1994 PA 451 (MCL 324.61513).

I.E. House, December 10, 1997.

I.E. Senate, April 28, 1998.

Senate substitute (S-1).

Returned from House with amendment to Senate substitute (S-1), Wednesday, May 20; laid over under the rules.

For House amendment, see Senate Journal No. 45, page 915.

MESSAGES FROM THE HOUSE

9

HB 4044 Rep. Profit

Torts; liability; "firefighter's rule"; abolish.

Amends 1961 PA 236 (MCL 600.101 - 600.9948) by adding sec. 2963.

I.E. House, February 26, 1997.

I.E. Senate, June 10, 1998.

Returned from House with amendments to Senate substitute (S-5), Thursday, June 25; laid over under the rules.

For House amendment, see Senate Journal No. 56, page 1370.

THIRD READING OF BILLS

_____ 10 _____

SB 256 Sen. Bullard

Civil procedure; costs and fees; allowable costs; increase. Amends sec. 5759 of 1961 PA 236 (MCL 600.5759).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

_____ 11 _______

SJR A Sen. Bouchard

Taxation; generally; certain tax increase; require a 2/3 vote of the legislature.

Amends sec. 26, art. IV of the state constitution.

Reported by Committee on Finance.

Senate substitute (S-3).

For Senate amendment, see Senate Journal No. 38, page 745.

Defeated, Thursday, May 7; motion to reconsider vote pending.

— 12 ———

HB 4875 Rep. Quarles

Legislature; other; access to bill status records; require to be on-line on the internet.

Amends 1986 PA 268 (MCL 4.1101 to 4.1901) by adding sec. 204e.

I.E. House, October 28, 1997.

For House amendments, see House Journal No. 84, page 2210.

Reported by Committee on Government Operations. Senate substitute (S-2).

Committee recommended I.E.

— 13 ——

HB 4884 Rep. Kaza

Legislature; other; access to bills, substitutes, and amendments; require to be on-line on the internet.

Amends 1986 PA 268 (MCL 4.1101 - 4.1901) by adding sec. 204b.

I.E. House, October 28, 1997.

For House amendments, see House Journal No. 84, page 2212.

Reported by Committee on Government Operations. Senate substitute (S-1).

Committee recommended I.E.

THIRD READING OF BILLS

- 14 ------

HB 4886 Rep. Birkholz

Legislature; legislative agencies; access to legislative calendar and other legislative information on-line on the internet; require.

Amends 1986 PA 268 (MCL 4.1101 - 4.1901) by adding sec. 204a.

I.E. House, October 28, 1997.

For House amendments, see House Journal No. 84, page 2214.

Reported by Committee on Government Operations. Senate substitute (S-2).

Committee recommended I.E.

____ 15 _____

HB 5006 Rep. Brewer

Communications; computers; Michigan Compiled Laws data base access on the internet; provide for.

Amends sec. 204 of 1986 PA 268 (MCL 4.1204).

I.E. House, October 28, 1997.

For House amendments, see House Journal No. 84, page 2217.

Reported by Committee on Government Operations. Senate substitute (S-2).

Committee recommended I.E.

------ 16 ------

SB 1196 Sen. Geake

Local government; financing; disbursements under the emergency municipal loan act; revise certain procedures.

Amends secs. 2, 3, 4, 6, 7 & 8 of 1980 PA 243 (MCL 141.932 et seq.).

Committee on Families, Mental Health and Human Services discharged, Wednesday, June 10.

Senate substitute (S-1).

____ 17 _____

SB 1197 Sen. Schwarz

Juveniles; delinquency; health and safety fund; revise distribution in connection with creating county juvenile agencies.

Amends secs. 3 & 5 of 1987 PA 264 (MCL 141.473 & 141.475).

Committee on Families, Mental Health and Human Services discharged, Wednesday, June 10.

____ 18 _____

SB 776 Sen. V. Smith

Property tax; tax sales; sales of tax liens; allow. Amends sec. 107 of 1893 PA 206 (MCL 211.107).

Reported by Committee on Finance.

Committee recommended I.E.

SB 778 Sen. V. Smith

Local government; financing; sale of tax liens; allow.

Reported by Committee on Finance.

Committee recommended I.E.

GENERAL ORDERS

— 20 ——

SJR E Sen. Hoffman

Transportation; other; state transportation commission; repeal.

Repeals sec. 28, art. V of the state constitution.

Reported by Committee on Appropriations.

For Senate amendment, see Senate Journal No. 50 of 1997, page 833.

SB 10 Sen. Schuette

Single business tax; credit; research and development; provide for.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 37e.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-2).

Committee recommended I.E.

— 22 —

HB 4039 Rep. Profit

Vehicles; emergency vehicles; emergency vehicle operation; create commission and require to develop a model policy.

Creates & repeals new act.

I.E. House, February 26, 1997.

House substitute (H-5)*.

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

— 23 —

SB 822 Sen. Peters

Property tax; tax sales; recall of purchaser's certificated sale; allow.

Amends 1893 PA 206 (MCL 211.1 - 211.157) by adding sec. 131f.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

_____ 24 _____

SB 740 Sen. Shugars

Insurance; health care corporations; determination of copayment or coinsurance; require to be based on amount paid by the plan.

Amends 1980 PA 350 (MCL 550.1101 - 550.1704) by adding sec. 405a.

Reported by Committee on Health Policy and Senior Citizens.

Senate substitute (S-2).

Committee recommended I.E.

25

HB 4403 Rep. Wallace

Traffic control; civil infraction procedures; violation for no proof of insurance; provide waiver of fine under certain circumstances.

Amends sec. 328 of 1949 PA 300 (MCL 257.328).

I.E. House, April 17, 1997.

House substitute (H-1).

Reported by Committee on Financial Services.

Senate substitute (S-2).

Committee recommended I.E.

GENERAL ORDERS

— 26 ———

SB 979 Sen. Steil

Land use; other; closure of land to hunting or vehicle use; prohibit unless legislature has approved.

Amends sec. 504 of 1994 PA 451 (MCL 324.504).

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-2).

HB 5129 Rep. Wojno

State; symbol; flag month; designate.

I.E. House, December 9, 1997.

For House amendments see House Journal No. 93, page 2466.

Reported by Committee on Government Operations. Committee recommended I.E.

28

SB 977 Sen. Gougeon

Natural resources; hunting; multiple doe permits; establish.

Amends sec. 43526 of 1994 PA 451 (MCL 324.43526).

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-5).

____ 29 _____

HB 5315 Rep. Profit

Taxation; other; tax analysis reports; require to include dynamic forecasting.

Amends sec. 18 of 1941 PA 122 (MCL 205.18).

I.E. House, January 22, 1998.

House substitute (H-1).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

____ 30 _____

HB 5212 Rep. Profit

Sales tax; exemptions; materials used in industrial laundry operations; provide for.

Amends secs. 1, 4a & 9 of 1933 PA 167 (MCL 205.51 et seq.).

I.E. House, May 6, 1998.

House substitute (H-1).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

----- 31 ------

HB 5213 Rep. Profit

Sales tax; exemptions; materials used in commercial laundry operations; provide for.

Amends secs. 2, 4 & 10 of 1937 PA 94 (MCL 205.92 et seq.).

I.E. House, May 6, 1998.

House substitute (H-1).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

- 32 -----

HB 4448 Rep. Dobronski

Elections; absent voters; absent voter ballot availability; provide for with no reason required.

Amends secs. 758, 759 & 759b of 1954 PA 116 (MCL 168.758 et seq.).

I.E. House, April 30, 1997.

House substitute (H-2).

Reported by Committee on Government Operations.

Senate substitute (S-3).

Committee recommended I.E.

— 33 *—* 1095 Sen. Dingell

Firearms; other; black powder and black powder firearm sales; clarify that federal license is not required under penal

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 223a.

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-1).

____ 34 ____

1049 Sen. Geake

Natural resources; fishing; fishing derbies; provide.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding subpart VI to pt. 487.

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-1). ____ 35 _____

235 Sen. Emmons SB

Occupations; individual licensing and regulation; registration of therapeutic recreation specialists; provide for.

Amends secs. 16131 & 16263 of 1978 PA 368 (MCL 333.16131 & 333.16263) & adds sec. 16350 & pt. 189.

Reported by Committee on Economic Development, **International Trade and Regulatory Affairs.**

Committee recommended I.E.

— 36 —

HB 5851 Rep. Byl

Highways; name; certain portion of M-6; rename the "Paul B. Henry freeway".

I.E. House, June 2, 1998.

Committee on Transportation and Tourism discharged, Wednesday, June 10.

Rules suspended, placed on General Orders, Wednesday, June 10.

RESOLUTIONS

_____ 37 ______

SR 71 Sen. McManus

A resolution concurring in the tribal-state gaming compacts negotiated between the Governor and the Little River Band of Ottawa Indians, the Pokagon Band of Potawatomi Indians, the Little Traverse Bay Bands of Odawa Indians, and the Nottawaseppi Huron Band of Potawatomi.

Reported by Committee on Gaming and Casino Oversight.

For text of resolution, see Senate Journal No. 51 of 1997, page 860.

Adoption pending.

RESOLUTIONS

— 38 ———

SR 178 Sen. Gougeon

A resolution to memorialize the Congress of the United States to provide that federal income taxes can only be raised through a supermajority vote in each house of the Congress.

Reported by Committee on Finance.

For text of resolution, see Senate Journal No. 35, page

Adoption pending.

SR 126 Sen. Koivisto

A resolution to call for increased support for training county veterans counselors.

Reported by Committee on Government Operations. For text of resolution, see Senate Journal No. 4, page

Adoption pending.

SR 182 Sen. Bullard

A resolution to memorialize the Congress of the United States to amend the Internal Revenue Code to remove the requirement that a home office must be used exclusively for business in order to be eligible for any tax deduction.

Reported by Committee on Government Operations. For text of resolution, see Senate Journal No. 39, page

Adoption pending.

——— 41 **———**

HCR 78 Rep. Schermesser

A concurrent resolution to memorialize the Congress of the United States to increase the amount of money being distributed to the states from the Leaking Underground Storage Tank Trust Fund.

Reported by Committee on Natural Resources and **Environmental Affairs.**

For text of resolution, see Senate Journal No. 14, page

Adoption pending.

SR 193 Sen. Hoffman

A resolution to urge the Department of Environmental Quality to join in the efforts of the National Environmental Lab Accreditation Committee and its advisory board and to urge the Auditor General to continue to monitor Michigan's progress in encouraging increased quality in environmental testing.

Reported by Committee on Natural Resources and **Environmental Affairs.**

For Senate amendment, see Senate Journal No. 47, page 918.

For text of resolution, see Senate Journal No. 45, page

Adoption pending.

RESOLUTIONS

— 43 ——

SCR 87 Sen. Bennett

A concurrent resolution to urge the Department of Environmental Quality to join in the efforts of the National Environmental Lab Accreditation Committee and its advisory board and to urge the Auditor General to continue to monitor Michigan's progress in encouraging increased quality in environmental testing.

Reported by Committee on Natural Resources and Environmental Affairs.

For Senate amendment, see Senate Journal No. 47, page 918.

For text of resolution, see Senate Journal No. 45, page 918.

Adoption pending.

44

SR 117 Sen. A. Smith

A resolution to urge the Governor to establish a task force to study issues relating to fishing.

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-2).

For text of resolution, see Senate Journal No. 1, page 6.

Adoption pending.

SR 170 Sen. Stille

A resolution urging Governor Engler to instruct the Michigan Environmental Science Board to review and analyze hydrogen sulfide emissions into the atmosphere as a result of oil and natural gas exploration and production.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

For text of resolution, see Senate Journal No. 33, page 630.

Adoption pending.

SCHEDULED MEETINGS

Appropriations - Wednesday, September 16, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Capital Outlay, Joint - Thursday, September 17, 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Conference Committee -

HB 5596 - Monday, September 14, 10:00 a.m., Room 351, Capitol Building (373-7708)

Economic Development, International Trade and Regulatory Affairs - Wednesday, September 16, 1:00 p.m., Room 210, Farnum Building (373-7946)

Financial Services - Wednesday, September 16, 1:00 p.m., 8th Floor Conference Room, Farnum Building (373-2523)

Health Policy and Senior Citizens - Tuesday, September 15, 3:00 p.m., Room 100, Farnum Building (373-0793)

Hunting, Fishing and Forestry - Wednesday, September 16, 1:30 p.m., Room 110, Farnum Building (373-7670)

Judiciary - Tuesday, September 15, 1:00 p.m., Room 402, Capitol Building (373-6920)

Legislative Retirement Board of Trustees - Wednesday, September 23, 12:00 Noon, Elijah Myers Room, Capitol Building (373-0575)

Michigan Trial Court Assessment Commission - Friday, September 18, 10:00 a.m., 8th Floor Conference Room, Farnum Building (373-7000) **CANCELED**

Natural Resources and Environmental Affairs - Tuesday, September 15, 3:00 p.m., 8th Floor Conference Room, Farnum Building (373-7350)

Senate Fiscal Agency Board of Governors - Wednesday, September 16, 2:30 p.m., Room 324, Capitol Building (373-6960)

		BILLS IN CONFE Conferees	BILLS IN CONFERENCE		Report Agreed to	
Bill No.	Brief Title	Senate	House	Senate Hou	ise	
SB 181	Mental health; patients	Van Regenmorter	Baird			
	· 1	Rogers	Gubow			
		Peters	Scranton			
SB 313	Education; discipline	Stille	Gire			
	-	Emmons	Schauer			
		Peters	Dalman			
		(Second)				
SB 514	Insurance; health	Shugars	Gubow			
		Schwarz	Basham			
		Byrum	Llewellyn			
SB 908	Appropriations; community	Geake	Ciaramitaro			
	health	Schwarz	Emerson			
		Conroy	Johnson			
HB 4738	Trade; vehicles	Schuette	Alley		•	
	rrade, venicles	Cisky	Griffin			
		Peters	Rhead			
		T CICIS				
HB 4740	Trade; vehicles	Schuette	Alley			
		Cisky	Griffin			
		Peters	Rhead			
HB 5424	Education; discipline	Stille	Gire			
		Emmons	Schauer			
		Peters	Dalman			
HB 5596	Appropriations; judiciary	DeGrow	Ciaramitaro			
	budget	Steil	Parks			
		A. Smith	Godchaux			
HB 5857	Retirement; judges	Steil	Ciaramitaro			
		Van Regenmorter	DeHart			
		Conroy	Rhead			